

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6764

BILL NUMBER: SB 313

NOTE PREPARED: Dec 31, 2007

BILL AMENDED:

SUBJECT: Animal Cruelty.

FIRST AUTHOR: Sen. Deig

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: *Definition of Neglect:* The bill provides that a person neglects an animal if the animal is dependent on the person and the person fails to provide medical care or other services needed for the sustained good health of the animal.

Increased Penalty: The bill increases the penalty for abandoning or neglecting an animal by changing the offense from a Class B misdemeanor to a Class A misdemeanor, and provides that a court may issue an order under which a person convicted of certain offenses against animals is prohibited, for not more than five years, from owning, keeping, harboring, or possessing an animal.

Effective Date: July 1, 2008.

Explanation of State Expenditures:

Explanation of State Revenues: *Definition of Neglect:* There are no data available to indicate if more offenders would be convicted of recklessly, knowingly, or intentionally neglecting a vertebrate animal if medical care and other services for sustained good health of an animal are added to the definition of neglect.

Increased Penalty: Revenue to the Common School Fund may increase if a person is sentenced for a Class A misdemeanor rather than for a Class B misdemeanor. The maximum fine for a Class B misdemeanor is \$1,000, while the maximum fine for a Class A misdemeanor is \$5,000. Court fees of \$120 would remain unchanged.

Explanation of Local Expenditures: *Increased Penalty:* Costs to local governments could increase because

the maximum term of imprisonment for a Class B misdemeanor is up to 180 days, while the maximum term for a Class A misdemeanor is up to one year. The average daily cost of housing a prisoner is approximately \$44.

Explanation of Local Revenues: *Increased Penalty:* Court fees of \$120 would remain unchanged.

State Agencies Affected:

Local Agencies Affected: Trial courts; local law enforcement agencies.

Information Sources: Indiana Sheriffs' Association.

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